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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent Office, number 1-571-273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope, or filed electronically via the EFS-Web System, and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **May 28, 2009**.

/Michael Chen/

Michael Chen

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.	: 10/789,776	Confirmation No.	1912
Applicant	: James Say, et al.		
Filed	: February 27, 2004		
TC/A.U.	: 3735		
Examiner	: Natnithithadha, Navin		
Docket No.	: TS-02-24		
Customer No.	: 30349		

Title: ANALYTE MONITORING DEVICE AND METHODS OF USE

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED APRIL 3, 2009**

Sir:

In response to the Office action of April 3, 2009, please amend the above-identified application as follows:

The **Listing of Claims** begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.